

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

LYNNE FREEMAN,

Plaintiff,

v.

TRACY DEEBE-ELKENANEY P/K/A TRACY
WOLFF, et al.,

Defendants.

Case No. 1:22-cv-02435-LLS-SN

**DECLARATION OF MARK D. PASSIN
IN OPPOSITION TO DEFENDANTS'
MOTIONS FOR SUMMARY
JUDGEMENT AND REPLY TO
DEFENDANTS' OPPOSITION TO
PLAINTIFF'S SUMMARY JUDGEMENT**

DECLARATION OF MARK D. PASSIN

I, Mark D. Passin, do hereby declare as follows:

1. I am over eighteen (18) years of age, am counsel of record in this case for Plaintiff Lynne Feeman and am competent to give the testimony set forth below. Said testimony is given from my own personal knowledge except where otherwise indicated. If called as a witness, I could and would competently testify thereto.
2. True and correct copies of the relevant pages of Plaintiff Lynne Freeman's deposition pages taken in this case on March 24, 2023, are attached hereto as Exhibit 1.
3. True and correct copies of the relevant pages of Trent Baer's deposition pages taken in this case on March 21, 2023, are attached hereto as Exhibit 2.
4. True and correct copies of the relevant pages of Defendant Tracy Wolff's deposition pages taken in this case on March 7, 2023, are attached hereto as Exhibit 3.
5. True and correct copies of the relevant pages of Liz Pelletier's deposition pages taken in this case on March 9, 2023, are attached hereto as Exhibit 4.

6. True and correct copies of the relevant pages of Defendant Emily Kim's deposition pages taken in this case on March 15, 2023, are attached hereto as Exhibit 5.
7. True and correct copies of the relevant pages of Elizabeth Tzetzso's deposition pages taken in this case on March 15, 2023, are attached hereto as Exhibit 6.
8. True and correct copies of the relevant pages of Stacy Abrams deposition taken in the case on March 3, 2023, are attached hereto as Exhibit 7.
9. True and correct copies of the relevant pages of Carol Chaski taken in this case on September 28, 2023, are attached hereto as Exhibit 8.
10. True and correct copies of the relevant pages of Patrick Joula's deposition taken on September 26, 2023, are attached hereto as Exhibit 9.
11. A true and correct copy of document bates numbered Wolff 0012493 produced by Defendant Tracy Wolff is attached hereto as Exhibit 10.
12. A true and correct copy of a document bates numbered Wolff 0012495 produced by Defendant Tracy Wolff is attached hereto as Exhibit 11.
13. True and correct copies of the cited pages from the Transcript of a Telephonic Conference before the Honorable Sarah Netburn on December 12, 2022, are attached hereto as Exhibit 12.
14. A true and correct copy of a Blog of Defendant Tracy Wolff dated November 13, 2010, is attached hereto as Exhibit 13.
15. A true and correct copy of Exhibit 91 from the Deposition of Emily Kim is attached hereto as Exhibit 14.
16. A true and correct copy of Exhibit 92 from the Deposition of Emily Kim is attached hereto as Exhibit 15.
17. A true and correct copy of Deposition Exhibit 9 from the Deposition of Stacy Abrams

is attached hereto as Exhibit 16.

18. A true copy of a document bates numbered Entangled 0048568 produced by Defendant Entangled Publishing LLC is attached hereto as Exhibit 17.
19. A true and copy of the Expert Report and Disclosure of Christine Witthohn dated May 10, 2023, is attached hereto as Exhibit 18.
20. A true and correct copy of an e-mail dated March 29, 2023, from me to Defendants' counsel is attached hereto as Exhibit 19.
21. At Lynne Freeman's deposition in this case, Defendants' counsel examined Ms. Freeman on the various versions of her manuscript, including, but not limited to, the 2016 version.

I declare under penalty of perjury that the foregoing is true and correct.

Executed February 7, 2024, at Westlake Village, CA.



Mark D. Passin